

ARGUMENTS/REMARKS

Claims 1-30 remain in this application. In the pending final office action the Examiner primarily reiterates the claim rejections of the first office action and additionally attempts to traverse the Applicant's intervening arguments. The Examiner's response to Applicant's arguments are found on pages 2 and 3. Applicant respectfully disagrees with this counter argument.

The Examiner has noted that it has been argued that "desktop collaboration programs offer enhanced communication. . . ." Further, the Examiner goes on to use the phrase "enhance communication" to equate elements of the Elliott citation with "collaboration." This is erroneous. Although collaboration is a type of enhancement, it is not the same enhancement as highlighted by the Examiner in Elliott. Elliott does not provide collaboration as defined by the present application. On page 3 of the present application, the detailed description includes a definition of collaboration:

The term collaboration, as used in this specification, refers to one of a number of desktop collaboration application programs, excluding voice, which allow for enhanced communication between one or more people via their desktop computers (PCs). The term "virtual co-location" will be used to describe the capability of these applications. Such applications typically run on the PC 3 at a user's desktop, or at least have their user interfaces on the desktop PC 3. Examples of such applications include video conferencing; multiple viewing access via remote PCs to a single document; PC based joint document editing; network "white boarding", etc. The operation of these collaboration application programs is beyond the scope of this specification although the structure and operation thereof would be well known to a person of ordinary skill in the art.

This definition is not congruent with the features cited by the Examiner on page 2 of the final office action.

Furthermore, the Examiner equates the collaboration application programs of the present set with the service control points of the Elliott reference, column 2, lines 30 through 45. Applicant, again, respectfully disagrees. The service control point is a special application computer. A computer is not a program. Also, the service control point is involved in maintaining information in database. This does not meet the definition of collaboration established previously. A database is not commensurate with "virtual co-location, video conferencing, multiviewing access via a remote PC to a single document, PC based joint document editing, or network whiteboarding."

Finally, the Examiner equates collaborative control programs of the present claim set with call gapping as defined in Elliott, column 42, lines 38 through 51. Again,

Applicant does not agree with this alleged equivalence. A collaboration control program is defined on page 4 of the present application:

A collaboration control program runs on each PC 3 associated with a telephone 1. This program has the capability of communicating over the LAN 5 with the phone 1 to control the collaborate indicator 7 and sense actuation of the collaborate button 9. The collaboration control program includes a list of all collaboration application programs installed which have been registered with the collaboration control program on the PC 3, including information about their capabilities and communication protocols (e.g. H.323). The collaboration control program has the capability of launching a collaboration application program, or, in the event that it is already running in the background, to bring the collaboration application program to the foreground. This is accomplished using well known capabilities of the PC Operating System.

The collaboration control program also has the ability to communicate with the collaboration control programs of remote PCs via the LAN 5. It has the capability to request (or respond to a request for) a list of collaboration application programs from a remote PC via the PC's Operating System. Finally, it has the capability to compare remote and local collaboration application programs and, by comparing supported protocols, determine whether the mutual collaboration application programs can inter-operate in a shared work environment.

The call gapping feature of Elliott does not include a list of all collaboration application programs installed which have been registered with the collaboration program. Further, it does not have the capability of launching a control application program as defined above. It does not have the ability to bring a collaboration application program from the background to the foreground. It does not have the capability to communicate with other collaboration control programs and to request a list of collaboration application programs from a remote PC. Finally, it does not have the capability to compare remote and local collaboration application programs and by comparing, determine whether the mutual programs can interoperate in a shared work environment.

Finally, the Examiner relates a collaborative control means to H.323 standard in his comments regarding claim 13. Applicant respectfully disagrees. The aforementioned excerpt of page 4 of the instant application clearly defines the relationship between collaboration control and H.323. H.323 is a communication protocol. It is generic. It may be useful to collaboration. However, it does not provide collaboration control itself. The definition in Elliott, column 43, lines 45 through 55 indicate that "H.323 standards are important building blocks for a broad new range of collaborative, LAN base applications. . . ." The Examiner's application of this language

is misleading in two respects. First, the use of the term collaborative in this passage is consistent with the use of collaborative throughout Elliott. It is not, however, consistent with the use of collaboration established by the instant application in the aforementioned excerpts. Second, it is clear that H.323 is merely a standard for the support of applications. It does not, in and of itself, actually provide the functionality of collaboration, either according to the Elliott definition or according to the application definition.

As the applicant considers all of the Examiner's arguments addressed, withdrawal of the allegation of non-compliance with 35 U.S.C. 102 is respectfully requested.

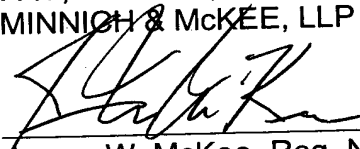
CONCLUSION

For the reasons detailed above, it is respectfully submitted all claims remaining in the application (Claims 1-30) are now in condition for allowance.

Respectfully submitted,

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2-17-05
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